

CITY OF SOUTH FULTON, GEORGIA
South Fulton Service Center Auditorium, 5600 Stonewall Tell Road
Tuesday, February 27, 2018, 5:00PM



The Honorable William “Bill” Edwards, Mayor (present)
The Honorable Mark Baker, District 7, Mayor Pro Tem (present) 5:06pm
The Honorable Catherine F. Rowell, District 1, Councilmember (present)
The Honorable Carmalitha Gumbs, District 2 Councilmember (present) 5:11pm
The Honorable Helen Z. Willis, District 3 Councilmember (present)
The Honorable Naeema Gilyard, District 4 Councilmember (present)
The Honorable Rosie Jackson, District 5 Councilmember (present)
The Honorable khalid kamau, District 6 Councilmember (present) 5:06pm

WORK SESSION MINUTES

- Call to Order

The meeting was called to order by Mayor Edwards at 5:00pm. The roll was called by the City Clerk. Councilmember Rowell, Councilmember Willis and Councilmember Jackson were present, therefore there was a quorum.

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- **MARTA Presentation**

Ms. Liz O'Neil, Interim General Manager of MARTA, presented a high-level overview of the MARTA services, where they stand today and some of the projects they currently have underway.

Ms. O'Neil introduced Mr. Ben Limmer, Assistant General Manager over Planning. Mr. Limmer gave information regarding existing and upcoming bus and rail service modifications. He discussed long-range planning for the City of South Fulton, South Fulton Parkway Corridor and the Fulton County Transit Master Plan.

There was a discussion and question period where Councilmembers identified the City of South Fulton bus routes which need MARTA's attention and improvements (routes, shelters and trash receptacles). Board composition was also discussed and Ms. O'Neil indicated that State Legislature is the catalyst for amending the board appointment process and makeup.

The Mayor thanked MARTA for making their presentation and addressing the concerns of the Council; however, he indicated that MARTA was not doing a good job of responding to the request of citizens in the City of South Fulton to maintain clean (trash-free) shelters. He also stated the importance of having light and heavy rails in the future.

- **Discussion Items**

- i. **Ordinance to amend 2018-005 of the City of South Fulton Code of Ordinances, criminal offenses; to establish duties regarding supervision of minors within the City; to provide penalties for failures to supervise minors; and for other purposes. (Willis)**
- ii. **Resolution to approve the installation of a concrete barricade on the right-of-way of Spring Street to block the ingress of The New Life A.M.E. Zion Church. (Willis)**

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A motion was made by Councilmember Willis and seconded by Councilmember Jackson to add/move Discussion Items i. and ii. to the Regular Meeting Agenda. The motion passed unanimously, 7-0-0.

- iii. Resolution to establish a performance measurement and reporting system for the City of South Fulton and for other lawful purposes. **(Rowell)**

Councilmember Rowell stressed the importance of the City of South Fulton having a performance measurement system established. It will give clear direction to the City Manager once that person is on board.

- **Executive Session (CLOSED), if necessary**

A motion was made by Councilmember khalid and seconded by Mayor Pro Tem Baker to recess for a closed Executive Session regarding litigation, real estate and personnel. Hearing no objections, the motion passed unanimously.

A motion was made by Councilmember khalid and seconded by Councilmember Gumbs to close the Executive Session. Hearing no objections, the motion passed unanimously, 7-0-0.

The Mayor opened the floor for motions to be made, resulting from the Executive Session discussions.

1) A motion was made by Mayor Pro Tem Baker and seconded by Councilmember khalid to designate a Mayor Pro Tem office as a set location. Mayor Pro Tem Baker, Councilmembers Gumbs, Willis, and khalid voted yea. Therefore, the motion passed, 4-0-3.

2) A motion was made by Councilmember Willis and seconded by Mayor Pro Tem Baker to authorize the Mayor

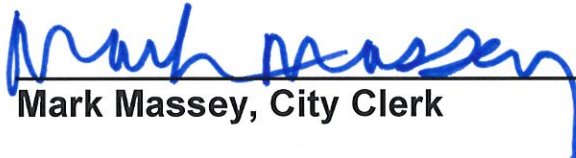
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to close on Fire Station Parcels 1, 2, 3, 5, 7, 13 & 17 upon:
a) obtaining the Title of Insurance; b) removing conditions from the Quit Claim Deed; and c) adding language clarifying that the City of South Fulton is not accepting any debt by the conveyance. Hearing no objections, the motion passed unanimously, 7-0-0.

- Adjournment

A motion was made by Mayor Pro Tem Baker and seconded by Councilmember Gumbs to adjourn the Work Session. Hearing no objections, the motion passed unanimously, 7-0-0.

The meeting adjourned at 7:01pm.


Mark Massey, City Clerk



DIVIDER SHEET

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The Honorable Catherine F. Rowell, District 1, Councilmember (present)
The Honorable Carmalitha Gumbs, District 2 Councilmember (present)
The Honorable Helen Z. Willis, District 3 Councilmember (present)
The Honorable Naeema Gilyard, District 4 Councilmember (present)
The Honorable Rosie Jackson, District 5 Councilmember (present)
The Honorable khalid kamau, District 6 Councilmember (present)

REGULAR MEETING MINUTES

1. Call to Order

The meeting was called to order by Mayor Edwards at 7:06pm. Following the roll call by the City Clerk, all members were present, therefore, there was a quorum.

2. Invocation

The Invocation was rendered by Pastor Warren T. Henry.

3. Pledge of Allegiance

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The Pledge of Allegiance was recited in unison.

4. Approval of the Consent Agenda

- a. Meeting Minutes – Tuesday, February 13, 2018 (Work Session and Regular Meeting)
- b. Proclamation – Edwin “PoundCake” Jackson Appreciation Day, February 12, 2018. **(Edwards)**
- c. Proclamation – Pastor Wendy Smith-Martin Appreciation Day, February 23, 2018. **(Edwards)**
- d. ~~Agreements~~
 - i. ~~Agr2018-009 – Medical Director Agreement. (Fire Services)~~

A motion was made by Councilmember Willis and seconded by Councilmember Gumbs to approve the Consent Agenda as amended (removing d. Agreements, which was approved on 2/23/2018). The motion passed unanimously, 7-0-0.

5. Approval of the Regular Meeting Agenda

The City Clerk announced the requested removal and additions to the Regular Meeting Agenda. Hearing no objections, it was so ordered.

- **Remove [1ST READING – REMOVED ON 2/13/2018] Ordinance to amend Title 11 of the City of South Fulton Code of Ordinances, parks and recreation; to establish facility rules and regulations for the City of South Fulton Parks and recreational facilities; and for other purposes. (Rowell – Ord2018-007)**
- **Add Ordinance to amend 2018-005 of the City of South Fulton Code of Ordinances, criminal offenses; to establish duties regarding supervision of minors within the City; to provide penalties for failures to supervise minors; and for other purposes. (Willis – Ord2018-014)**
- **Add Resolution to approve the installation of a concrete barricade on the right-of-way of Spring Street to block the ingress of The New Life A.M.E. Zion Church. (Willis – Res2018-011)**

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- **Add** A motion was made by Councilmember Rowell and seconded by Councilmember khalid to add Resolution to establish a performance measurement and reporting system for the City of South Fulton and for other lawful purposes. (Rowell – Res2018-012) The motion passed unanimously, 7-0-0.
- **Add** Councilmember khalid requested to add to the Agenda a discussion item to change the next Council Meeting from March 13, 2018 to March 20, 2018. A motion was made by Councilmember khalid and seconded by Mayor Pro Tem Baker and Councilmember Gumbs to move the next Meeting of the City Council from March 13, 2018 to March 20, 2018. The motion passed, unanimously, 7-0-0.

6. Proclamations and Recognitions

- a. Proclamation – Arlington Christian School Appreciation Day, February 27, 2018. **(Gilyard)**

PRESENTED.

- b. Proclamation – ASA Philip Randolph Elementary Appreciation Day, February 27, 2018. **(Rowell)**

PRESENTED.

7. Public Comment

- a. Speakers will be granted up to two minutes each and public comment will not exceed 30 minutes. Speakers will not be allowed to yield or donate their time to other speakers.

The following twelve (12) citizens offered public comments:

- **Mr. Mike Taylor (District 4)** Advised that he does not want MARTA to travel west of the current Highway 92 bus route.
- **Bishop Alonzo Terry (Solid Rock Pentecostal Church)** Spoke to Council about having the opportunity to serve and the many leadership roles involved to serve the citizens of the City of South Fulton.

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- **Mr. Cory Johnson (District 1)** Gave information concerning a program for young adults, ages 18 to 24 years old, in the City of South Fulton.
- **Ms. Jewel Johnson (District 1)** Expressed strong concern of the removal of the Robbins Firm from the City of South Fulton, and the 'block of four (4)' on the Council concerning their responsibility to the citizens of the City of South Fulton.
- **Mr. A. W. Davis (District 4)** Discussed Grants. Crystallization of Modern Phases' was a speech he gave to the Miami-Dade County Commission concerning cities, counties & states being more dependent on Federal Grants. Asked the City of South Fulton not to adopt what other cities do in reference to grants.
- **Mr. Michael Venable (District 6)** Concerned with legal representation present at all zoning board-related meetings and with the Robbins Firm being let go. Legal counsel needs to be appointed to all Boards: Planning Commission, Zoning Board, Code Enforcement, etc.
- **Mr. Steve D. Puett (District 4 resident, District 7, property owner)** Concerned with the increase of mortgage payments due to a major increase in homeowner's insurance because of ISO, the absence of a Protection Class Rating for the City (fire station locations).
- **Ms. Damita Chatman (District 2)** Concerned with the City Charter. City Council only sets policies & procedures, put your egos aside, and follow the Charter.
- **Ms. Teiola Porph (District 3)** Concerned with the Parent Ordinance. Parents should look at getting their children involved in after school activities such as golf, archery, etc.
- **Ms. Glenda Collins (District 5)** Concerned with employment of a City Manager and she advised that the City look at outsourcing the job. Regarding MARTA presentation, bus routes, maintenance, safety issues, she asked where residents should park when taking MARTA.
- **Ms. Tracy Rolle (District 1)** Excited about local control within the City, and putting the right people in place.
- **Mr. Jarman Bryant (District 5)** Concerned with a lack of transparency that causes rumors and citizen's angst over the legal firm dismissal.

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8. Business

a. Nominations

- i. Consideration of City Manager Finalist.

After summarizing his resume, Mayor Edwards introduced Mr. Odie Donald II as a finalist for confirmation as the City Manager for the City of South Fulton. Mr. Donald was present via Skype to discuss his background and desire to serve as City Manager for the City of South Fulton and to answer any/all questions from the Mayor and City Council.

A motion was made by Councilmember Gilyard and seconded by Councilmember Willis to accept Mr. Odie Donald II as City Manager. Councilmembers Rowell, Gumbs, Willis, Gilyard and Jackson voted yea. Mayor Pro Tem Baker and Councilmember khalid voted no. Therefore, the motion passed, 5-2-0.

b. Zonings, Modifications, Variances

- i. Request for Modification – **M17-003 Applicant**, Mawal, Inc. seeks a modification from conditions identified in Zoning Case Z73-065 for property located at the west intersection of Roosevelt Hwy & Johns River Rd.

Staff presented the case and indicated that the Applicant was available for any questions (public hearing).

A motion was made by Councilmember Rowell and seconded by Councilmember Willis to approve the modifications of Zoning Case Z73-065 as requested by Mawai, Inc. The motion passed unanimously, 6-0-0. Councilmember Gilyard was not present.

c. Resolutions

- i. Resolution of the City of South Fulton, Georgia executing a Cooperation Agreement between the City and the South Fulton Community Improvement District and to provide an effective date. (**Res2017-061, HELD on October 10, 2017, January 23, 2018, and February 13, 2018**)

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A motion was made by Mayor Pro Tem Baker and seconded by Councilmember Gumbs to hold Res2017-061 to allow Councilmember Gilyard to be present. The motion passed unanimously, 6-0-0. Councilmember Gilyard was not present.

- ii. Resolution to develop a park, recreation, trail and open space master plan for the City of South Fulton. (Rowell and Gilyard – Res2018-007)

A motion was made by Councilmember Rowell and seconded by Councilmember khalid to approve Res2018-007 as presented. The motion passed unanimously, 6-0-0. Councilmember Gilyard was not present.

d. Ordinances

- i. **[2nd READING]** Ordinance to adopt the City Smokefree Act of 2017. (Rowell and Gumbs – Ord2018-006)

a. A motion was made by Councilmember Gumbs and seconded by Councilmember khalid to table Ord2018-006. The motion passed unanimously, 6-0-0. Councilmember Gilyard was not present.

b. A motion was made by Councilmember Gumbs and seconded by Councilmember Willis to remove Ord2018-006 from the table. The motion passed unanimously, 6-0-0. Councilmember Gilyard was not present.

c. A motion was made by Councilmember Rowell and seconded by Councilmember Gumbs to add language to Ord2018-006, Sec.6-1002(4) by adding hookahs after e-cigarette. The motion passed unanimously, 6-0-0. Councilmember Gilyard was not present.

- ii. **[2nd READING]** Ordinance defining the duties and powers of City Department Heads; providing for their appointment; and for other purposes. (Jackson and Willis – Ord2018-008)

Councilmember Jackson requested to add Councilmember Willis as a co-sponsor.

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The City Attorney Emilia Walker described the amendments to Ord2018-008.

a. A motion was made by Councilmember Jackson and seconded by Councilmember khalid to accept/approve Ord2018-008. Mayor Pro Tem Baker, Councilmembers Gumbs, Willis, Jackson and khalid voted yea. Councilmember Rowell voted no. Therefore, the motion passed. 5-1-0. Councilmember Gilyard was not present.

b. A motion was made by Councilmember Willis and seconded by Councilmember Rowell to amend Ord2018-008 to allow the City Manager to go through a process to hire/vet/nominate department heads and bring recommendations before the City Council for an up or down vote (make all nominations). The amendment was accepted by Councilmember Jackson. (no vote was taken)

c. A motion was made by Councilmember Willis and seconded by Councilmember Gumbs to move the previous question (end debate). Mayor Pro Tem Baker, Councilmembers Gumbs, Willis, Jackson and khalid voted yea. Councilmember Rowell did not vote. Therefore, the motion passed, 5-0-1. Councilmember Gilyard was not present.

iii. ~~[1ST READING — REMOVED ON 2/13/2018]~~ Ordinance to amend Title 11 of the City of South Fulton Code of Ordinances, parks and recreation; to establish facility rules and regulations for the City of South Fulton Parks and recreational facilities; and for other purposes. ~~(Rowell — Ord2018-007)~~

REMOVED FROM AGENDA AS REQUESTED BY MAYOR EDWARDS.

iv. **[1st READING]** Ordinance to create Title xx to establish the City of South Fulton Fire & Rescue Department and adopt the Fire Prevention Code and Safety Standards. **(Ord2018-009)**

HEARD 1ST READING.

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- v. **[4st 2nd READING]** Ordinance to establish standards and restrictions for excessive or unnecessary noise in the City of South Fulton, and for other purposes. **(Rowell and Gumbs – Ord2018-010)**

Councilmember khalid expressed his interest to add language to silence sirens in residential areas. The City Attorney indicated that State Statue (OCGA 48-94) would not allow the limitation. Councilmember Gumbs indicated that Ord2018-010 Noise Ordinance was a 2nd READING.

A motion was made by Councilmember Gumbs and seconded by Councilmember Rowell to approve Ord2018-010 as presented. The motion passed unanimously, 6-0-0. Councilmember Gilyard was not present.

- vi. **[4st 2nd READING]** Amendment to Ordinance No. 2018-005, to establish offenses related to loitering; and for other purposes. **(Jackson – Ord2018-011)**

The City Clerk indicated that the previous two (2) items are being heard for the 2nd READING, according to the City Attorney, because they were heard at the February 13, 2018, Work Session.

A motion was made by Councilmember Jackson and seconded by Councilmember Willis to approve Ord2018-011 as presented. The motion passed unanimously, 6-0-0. Councilmember Gilyard was not present.

- vii. **[1st READING]** Ordinance to amend the Code of the City of South Fulton, Georgia, and establish the solid waste collection, disposal, and recycling services ordinance, and for other purposes. **(Willis – Ord2018-012)**

Councilmember Willis requested a high-level presentation from Finance, Purchasing and Legal at the next meeting which would include the major highlights (key points) of the proposed Solid Waste Ordinance, what is being proposed in the RFP, a timeline and how billing will be handled.

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Councilmember Rowell wants to make sure that we have not limited who can apply, within Sec.62.008 (a).

- viii. **[1st READING]** Amendment to Title 15 of the City of South Fulton Code to establish a municipal code violation for the possession of one ounce or less of marijuana, to issue citations for such offense in lieu of effectuating arrest and for other purposes allowed by law. **(Baker – Ord2018-013)**

HEARD.

Mayor Pro Tem Baker announced that he will be holding a Townhall Meeting on March 19, 2018, concerning this proposed Ordinance to decriminalize marijuana related offenses, and invited all in attendance to come out and support the Meeting.

- ix. **[1st READING]** Ordinance to amend 2018-005 of the City of South Fulton Code of Ordinances, criminal offenses; to establish duties regarding supervision of minors within the City; to provide penalties for failures to supervise minors; and for other purposes. **(Willis and Gilyard - Ord2018-014)**

Councilmember Willis requested to add Councilmembers Jackson and Gilyard as a co-sponsor.

- x. Resolution to approve the installation of a concrete barricade on the right-of-way of Spring Street to block the ingress of The New Life A.M.E. Zion Church. **(Willis – Res2018-012)**

A motion was made by Councilmember Willis and seconded by Councilmember Gumbs to hold Res2018-012 until a Financial Impact Report is created. The motion passed unanimously, 6-0-0. Councilmember Gilyard was not present.

- xi. Resolution to establish a performance measurement and reporting system for the City of South Fulton and for other lawful purposes. **(Rowell – Res2018-013)**

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A motion was made by Councilmember khalid and seconded by Councilmember Gumbs to hold Res2018-013 until the City Manager is on board. The motion passed unanimously, 6-0-0. Councilmember Gilyard was not present.

e. Board Appointments

- i. Historic and Cultural Landmarks Commission**
 - a. Dr. Lynn Anidi (Rowell)**
 - b. Ms. Cybil Talley (Gumbs)**
 - c. Dr. John Herring (Willis)**

A motion was made by Councilmember Willis and seconded by Councilmember Gumbs to approve the nominations for appointment. The motion passed unanimously, 6-0-0. Councilmember Gilyard was not present.

- 9. Other Reports**
 - a) GMA Agreement – CFO Frank Milazi**

Frank Milazi, CFO, requested the Council's approval for the GMA Agreement. No action taken.

- b) Financial Report – CFO Frank Milazi**

Frank Milazi, CFO, distributed the financial presentation to Mayor and Council and outlined the present status of the City's financial position.

- 10. Mayor and City Council Comments (Two Minutes Each)**

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All Councilmembers and the Mayor made announcements or statements regarding activities held or upcoming in their respective districts.

11. Adjournment

A motion was made by Councilmember Willis and seconded by Mayor Pro Tem Baker to adjourn the Meeting. Hearing no objections, the motion passed.

The meeting adjourned at 10:24pm



Mark Massey, City Clerk